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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,767	04/27/2001	Jaakko Hyvarinen	0365-0502P	2829

2292 7590 03/31/2003

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EXAMINER
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ZEADE, BERTRAND

ART UNIT	PAPER NUMBER
2875	

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/842,767	HYVARINEN ET AL
Examiner	Art Unit	
Bertrand Zeade	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 27 April 2001.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-4 and 7-10 is/are rejected.
- 7) Claim(s) 5, 6, 11 and 12 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- 14) The attached detailed Office action for a list of the certified copies not received

- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119 and 120

**Attachment(s)**

- Reference(s) to PTO-800
- Reference(s) to PTO-808
- Information Disclosure Statement(s) (PTO-1449) is/are included.

- Interview Summary (PTO-413) Paper No/s:

\_\_\_\_\_  
 \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 U.S.C. § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gilligan et al. (U.S.4,099,864).

Gilligan ('864) discloses a light source for photographic having:

Regarding claim 1, the radiation source (32a) is used to direct radiation to an essentially planar target surface (48), characterized in that between the radiation (32a/32b) and the target surface (48), several plates (42,34), which are essentially transparent to the radiation (32a) and have spaces between them, are placed closer to the radiation source (32a/32b), in order to use the reflection and absorption of the transparent plates (42,43) to attenuate the radiation to desired areas.

Regarding claim 2, the transparent plates (34, 42) are positioned essentially parallel to the target surface (48).

1. The radiation source is positioned between the radiation

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Regarding claim 7, a radiation source (32a/32b) by means of which radiation can be directed to an essentially planar target surface (48), characterized in that between the radiation (32a/32b) and the target surface (48), several plates (42,34), which are essentially transparent to the radiation (32a) and have spaces between them, are placed closer to the radiation source (32a/32b), in order to use the reflection and absorption of the transparent plates (42,43) to attenuate the radiation to desired areas.

Regarding claim 8, the transparent plates (34, 42) are positioned essentially parallel to the target surface (48).

Regarding claim 9, at least one diffuser (see abstract) is positioned between the radiation source (32a/32b) and the transparent plates (34,42).

***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilligan

Regarding claims 4 and 10, Virginian Solar Energy Co., et al. v. Gilligan, et al., 200 F.3d 1364, 1375, 59 USPQ2d 1195, 1202 (Fed. Cir. 2000).  
solar panel.

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Janda ('952) discloses a control circuit for a solar-power rechargeable power source and load having:

Regarding claim 4, a flash tube is used as the radiation source (4) and the target (8) is a solar panel (10).

Regarding claim 10, a flash tube is used as the radiation source (4) and the target (8) is a solar panel (10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the light source for photographic of Gilligan ('864) with the solar panel disclosed by Janda ('952) for the benefit and advantage to provide a low cost circuit for using light to charge a rechargeable power source and to turn on and off a load, because it has a preferred application in which sunlight is used to charge a rechargeable power source then being used to power a lamp.

#### *Allowable Subject Matter*

5. Claims 5-6, 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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stack between the radiation source, and that the source is placed from the source at a distance of 5-20%, typically at a distance of 10% of the distance between the source and the target.

7. ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bertrand Zeade whose telephone number is 703-308-6084. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea, can be reached on (703) 305-4939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Examiner: Bertrand Zeade

March 21, 2003.

*Stephen Husar*  
Stephen Husar  
Primary Examiner